

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK*July 15, 2008*

UNITED STATES OF AMERICA

: INDICTMENT

-v.-

: 08 Cr.

GERMAN CRUZ,
a/k/a "Herman Cruz,"
a/k/a "Juan Reyes,": **08CRIM 438**

Defendant.

:

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COUNT ONE

The Grand Jury charges:

From at least in or about February 2005 up to and including May 8, 2008, in the Southern District of New York and elsewhere, GERMAN CRUZ, a/k/a "Herman Cruz," a/k/a "Juan Reyes," the defendant, being an alien, unlawfully, willfully, and knowingly, did enter, and was found in, the United States, after having been removed from the United States on or about October 26, 1999 subsequent to a conviction for the commission of an aggravated felony, to wit, a conviction on or about April 16, 1998, in Kings County Supreme Court, Kings County, for Assault in the Second Degree, a violation of New York State Penal Law Section 120.05(02), without having obtained the express consent of the Attorney General of the United States or his successor, the Secretary for the Department of Homeland Security, to reapply for admission.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
May 15, 2008
DATE FILED: <u>May 15, 2008</u>

(Title 8, United States Code, Sections 1326(a) & (b) (2).)

Dennis J. EPPERSTON

Michael Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(8 U.S.C. § 1326(a) & (b)(2).)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

Foreperson.

5/15/08 Filed indictment. Case assigned to Judge
Harte. M. J. judge left